

**IN THE UNITED STATES DISTRICT COURT  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>Branch Banking &amp; Trust Company,</b>	) <b>Case No. 3:11-0301</b>
	)
<b>Plaintiff</b>	)
	) <b>Judge Sharp</b>
<b>v.</b>	) <b>Magistrate Judge Brown</b>
	)
<b>Fidelity National Title Insurance Company,</b>	)
<b>1<sup>st</sup> Trust Title, Inc., and Delaina Thompson,</b>	)
	)
<b>Defendants</b>	)

**ENTRY OF DEFAULT IN PART**

Pending is Plaintiff's Motion for Entry of Default Pursuant to Rule 55(a), FRCP, against Defendants 1<sup>st</sup> Trust Title, Inc. and Delaina Thompson (Docket Entry No. 26). Plaintiff's Request for Entry of Default must be denied as to Defendant Delaina Thompson as Defendant Thompson has filed bankruptcy and a stay of proceedings against her has been entered by the Court (Docket Entry No. 41). In addition, the Clerk notes Plaintiff has not submitted an affidavit of military service as to this Defendant as is required by the Servicemembers Civil Relief Act of 2003 (50 App. U.S.C. 501 et seq.).

Plaintiff's Motion for Entry of Default against Defendant 1<sup>st</sup> Trust Title, Inc., is granted. Service upon this defendant was made on April 18, 2011, and no responsive pleading has been filed within the time period required by law. No affidavit of military service is required as to this corporate defendant.

Accordingly, for the reasons stated above, the Clerk declines to enter default against Defendant Delaina Thompson. Entry of Default against Defendant 1<sup>st</sup> Trust Title, Inc. is hereby granted.

s/ Keith Throckmorton  
Keith Throckmorton  
Clerk of Court